

Richardson, Nettie

From: matthewuhle@aol.com
Sent: Monday, April 25, 2011 7:23 AM
To: jacklienesch@gmail.com
Cc: jgrofik@simon.com; kshields@simon.com; ndewhirst@oakbrookco.com; Houck, Pamela; Richardson, Nettie
Subject: Revised Coconut Point Outdoor Entertainment Enforcement Proposal

1. Simon will send a letter to every owner of record within 2,500 feet of the boundaries of the regional mall parcel. The letter will include a phone number for people to call in the event they are disturbed by outdoor entertainment at the mall.
2. A security person will be available to answer the phone at all times and will be authorize to investigate all complaints.
3. If the security person determines that the establishment in question has violated the hours of operation or the terms of its noise abatement plan, he will order the outdoor entertainment to cease.
4. All business establishments in Coconut Point which wish to have ongoing or regular outdoor entertainment will provide a noise abatement plan to Simon which addresses hours of operation and methods by which noise will be limited to a conversational level at the regional mall boundary line. Each plan must be approved by Simon, must be kept on the site, and will be provided to the County and to the ECPP upon request.
5. Repeated violations of the noise plan will result in enforcement action by Simon, which will include a prohibition against further outdoor entertainment.
6. Records regarding violations will be kept by Simon at the mall office and will be provided to the County and the ECPP on request.
7. All outdoor entertainment plans will require the activity to cease by 11:30 unless the business establishment applies for and receives permission to operate later through the County public hearing process.
8. These requirements will be included in any County approval authorizing outdoor entertainment.

Richardson, Nettie

From: matthewuhle@aol.com
Sent: Tuesday, April 19, 2011 8:17 AM
To: Houck, Pamela; Richardson, Nettie
Subject: Coconut Point/ECPP Meeting

I made a presentation to the ECPP last night on several issues relating to Coconut Point, including the electronic sign and outdoor entertainment. As to the sign, with the exception of one member of the panel, my sense is that the group will accept an amendment which requires the specific sign proposal to come back to them for review, which is consistent with the proposal I drafted (and, I believe, yours as well). On the noise front, we appear to be close to an agreement on enforcement, but they want me to put more detail in the protocol, which I will do. I don't particularly want to schedule our meeting until I am finished at the community level.

Richardson, Nettie

From: Houck, Pamela
Sent: Thursday, April 07, 2011 10:17 AM
To: matthewuhle@aol.com
Cc: Richardson, Nettie; Gibbs, Mary
Subject: RE: Coconut Point

Hi Matt, Nettie will be scheduling a meeting with you to discuss both the temp permits and the hours on the COP's. I don't have a problem with the administrative approval of the temp permits but in light of the continued violation of the conditions of approval of the COP's I think it appropriate to go thru the public hearing process.

From: matthewuhle@aol.com [mailto:matthewuhle@aol.com]
Sent: Thursday, April 07, 2011 7:36 AM
To: jacklienesch@gmail.com
Cc: Richardson, Nettie; ndewhirst@oakbrookco.com; Houck, Pamela; kshields@simon.com; jgrofik@simon.com
Subject: Coconut Point

Jack, please put us on the next ECPP agenda for a presentation on the items we discussed during our meeting on Monday. Here is our proposal as to the regulation of the noise from the outdoor entertainment:

1. Simon will mail a letter to all property owners within a fixed distance of the regional mall parcel (I would suggest 1,500 feet, although I think we are flexible on that point) which provides a phone number for a security person at the Town Center in the event of a noise problem.
2. A security person will be available to answer the phone and respond at all times.
3. Each business establishment which intends to have outdoor entertainment will provide an operations plan to Simon management. The plan will include proposed hours, the location of the activity, and any measures proposed to limit noise. The plans will be kept at an office at the Town Center and will be made available to the County and to residents on request.
4. Repeated violations of operations plans will be treated as lease violations by Simon.
5. My clients believe that the cutoff for outdoor entertainment should be 11:30. Businesses would be permitted to go beyond that hour only by going through a public hearing process.

If you have any questions, please let me know.

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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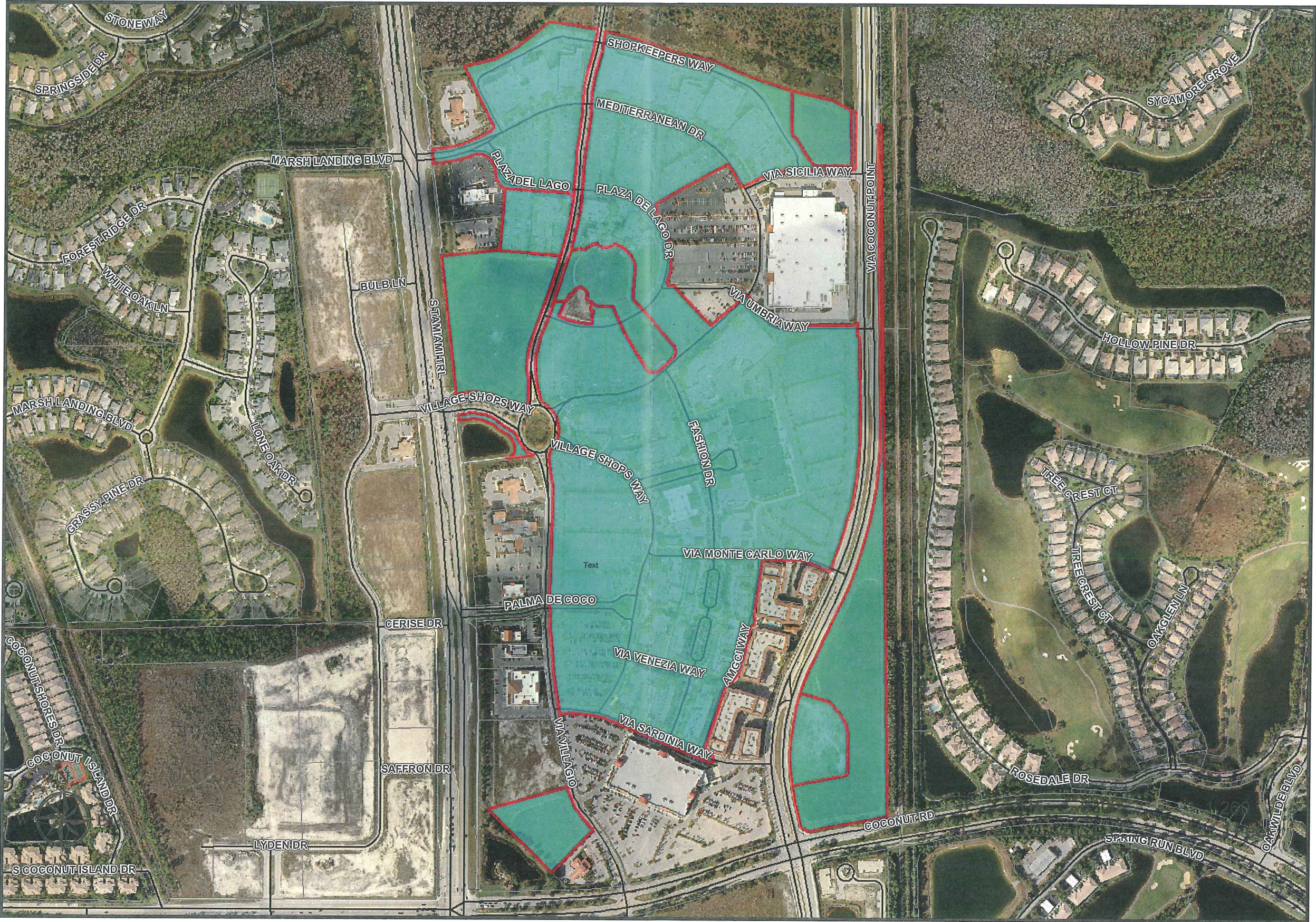
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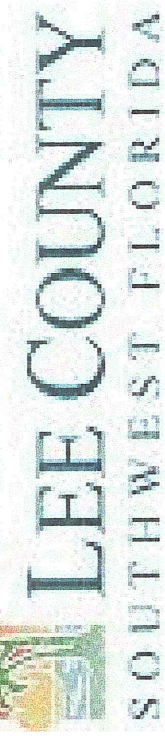
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Coconut Point

Sept. 20, 2011





Coconut Point

